

# MIAMI BEACH

## COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: Commissioner David Suarez

DATE: November 20, 2024

TITLE: REFERRAL TO THE LAND USE AND SUSTAINABILITY COMMITTEE TO CONSIDER AMENDING THE NOTICE REQUIREMENTS FOR AMENDMENTS TO THE LAND DEVELOPMENT REGULATIONS (LDRS) AND COMPREHENSIVE PLAN, TO PERMIT THE CITY TO USE A PUBLICLY ACCESSIBLE WEBSITE HOSTED BY MIAMI-DADE COUNTY AS AN ALTERNATIVE MEANS OF PUBLISHING NOTICES AND ADVERTISEMENTS WHICH ARE CURRENTLY REQUIRED TO BE PUBLISHED IN A NEWSPAPER OF GENERAL CIRCULATION.

### **RECOMMENDATION**

N/A

### **BACKGROUND/HISTORY**

Section 50.0311, Florida Statutes, authorizes the use of publicly accessible websites hosted by counties as an alternative means of publishing notices and advertisements otherwise required to be published in newspapers of general circulation.

On May 15, 2024, the City Commission adopted Ordinance No. 2024-4618 to provide that, wherever the City Code requires a legal advertisement or publication in a newspaper of general circulation, the City may instead use a publicly accessible website hosted by Miami-Dade County as an alternative means of publishing notices and advertisements, except where the newspaper notice is otherwise required under the City Charter, County Charter or County Code.

### **ANALYSIS**

On November 5, 2024, 76.31% of the City's voters voted in favor of Referendum 5, which amends City Charter Section 2.05 to permit notices of proposed Ordinances to be published online, pursuant to Section 50.0311, Florida Statutes. This amendment was recommended by the Ad Hoc Advisory Charter Review and Revision Board ("CRB").

Consistent with the Charter amendment approved by the voters, I would like the Land Use and Sustainability Committee ("LUSC") to consider a companion amendment to the Land Development Regulations ("LDRs") to permit the City to publish notices for Ordinances amending the LDRs and Comprehensive Plan on a publicly accessible website, as an alternative means of publishing notices that are currently required to be published in a newspaper.

### **FISCAL IMPACT STATEMENT**

N/A

**Does this Ordinance require a Business Impact Estimate?**  
(FOR ORDINANCES ONLY)

If applicable, the Business Impact Estimate (BIE) was published on:  
See BIE at: <https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notices/>

**FINANCIAL INFORMATION**

N/A

**CONCLUSION**

N/A

**Applicable Area**

Citywide

**Is this a “Residents Right to Know” item, pursuant to City Code Section 2-17?**

No

**Is this item related to a G.O. Bond Project?**

No

**Was this Agenda Item initially requested by a lobbyist which, as defined in Code Sec. 2-481, includes a principal engaged in lobbying?** No

If so, specify the name of lobbyist(s) and principal(s):

**Department**

Office of Commissioner David Suarez

**Sponsor(s)**

Commissioner David Suarez

**Co-sponsor(s)**

**Condensed Title**

Ref: LUSC – Online Notice for LDRs/Comp Plan Amendments. (Suarez)